



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Unknown

Atty. Dkt. No. 5681-85400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noel Kivlin
~~Registered Representative~~

6-9-05
Date

Signature _____

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3.

- ☒ Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.
- ☐ A copy of each non-U.S. patent and/or non-U.S. patent application publication reference listed on the Form PTO-1449 is enclosed.
- ☐ The non-U.S. patent and/or non-U.S. patent application publication references listed on the Form PTO-1449 were previously cited in application serial no. _____ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;

- ☒ before the mailing date of a first Office Action on the merits; or
☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.

7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5681-85400/BNK.

Respectfully submitted,



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Date: 6-9-05

Form PTO-1449 (modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
 (Use several sheets if necessary)

U.S. PATENT DOCUMENTS

| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE APPROPRIAT |
|-------------------|--------------|-----------------|-----------|-------------------|-------|--------------|---------------------------|
| | A1 | 2005/0063354 | 3-Mar-05 | Garnett, et al. | | | |
| | A2 | 2005/0047098 | 3-Mar-05 | Garnett, et al. | | | |
| | A3 | 2003/0105903 | 5-Jun-03 | Garnett, et al. | | | |
| | A4 | 2003/0033360 | 13-Feb-03 | Garnett, et al. | | | |
| | A5 | 2002/0124114 | 5-Sep-02 | Bottom, et al. | | | |
| | A6 | 2002/0120741 | 29-Aug-02 | Webb, et al. | | | |
| | A7 | 2002/0107990 | 8-Aug-02 | Johnson, et al. | | | |
| | A8 | 6,782,531 | 24-Aug-04 | Young | | | |
| | A9 | 6,745,286 | 1-Jun-04 | Staub, et al. | | | |
| | A10 | 6,742,068 | 25-May-04 | Gallagher, et al. | | | |
| | A11 | 6,721,794 | 13-Apr-04 | Taylor, et al. | | | |
| | A12 | 6,654,252 | 25-Nov-03 | Raynham | | | |
| | A13 | 6,594,150 | 15-Jul-03 | Creason, et al. | | | |
| | A14 | 6,583,989 | 24-Jun-03 | Guyer, et al. | | | |
| | A15 | 6,560,606 | 6-May-03 | Young | | | |
| | A16 | 6,556,438 | 29-Apr-03 | Bologna, et al. | | | |
| | A17 | 6,505,254 | 7-Jan-03 | Johnson, et al. | | | |
| | A18 | 6,452,809 | 17-Sep-02 | Jackson, et al. | | | |
| | A19 | 6,247,078 | 12-Jun-01 | Ebert, et al. | | | |
| | A20 | 5,655,120 | 5-Aug-97 | Witte, et al. | | | |
| | A21 | 5,577,032 | 19-Nov-96 | Sone, et al. | | | |

FOREIGN PATENT DOCUMENTS

| INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | COUNTRY | CLAS S | SUB CLASS | TRANSLA TION YES/NO |
|----------|--------------|--------------------|------|---------|-----------|--------------|---------------------------|
|----------|--------------|--------------------|------|---------|-----------|--------------|---------------------------|

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.